

**In the United States Court of Federal Claims**

**OFFICE OF SPECIAL MASTERS**

**No. 04-405V**

**(Not to be published)**

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MARCIE BROOK and,  
ALAN BROOK, parents  
of NB, a minor,

Petitioners,

v.

SECRETARY OF HEALTH AND  
HUMAN SERVICES

Respondent.

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Filed: July 2, 2015

Decision on Attorneys'  
Fees and Costs

**DECISION (ATTORNEY FEES AND COSTS)**

In this case under the National Vaccine Injury Compensation Program,<sup>1</sup> I issued a decision on May 14, 2015. On July 1, 2015, the parties filed a joint stipulation of facts regarding attorneys' fees and costs in this matter. The parties' stipulation requests a total payment of \$91,366.23, representing attorneys' fees and costs of \$90,000.00, and \$1,366.23 of costs expended by Petitioners.

An award for fees and costs is appropriate at this time, pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1). Further, the proposed amounts seem reasonable and appropriate. Accordingly, I hereby award the following attorneys' fees and costs pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1):

- a lump sum of \$90,000.00, in the form of a check payable jointly to Petitioners and Petitioners' counsel, Clifford Shoemaker, on account of services performed by counsel's law firm.

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<sup>1</sup> The applicable statutory provisions defining the program are found at 42 U.S.C. § 300aa-10 *et seq.* (2012).

- a lump sum of \$1,366.23, in the form of a check payable to Petitioners, which represents Petitioners' own litigation expenses in this case.

In the absence of a timely-filed motion for review filed pursuant to Appendix B of the Rules of the U.S. Court of Federal Claims, the clerk of the court shall enter judgment in accordance herewith.<sup>2</sup>

**IT IS SO ORDERED**

/s/ George L. Hastings, Jr.  
George L. Hastings, Jr.  
Special Master

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<sup>2</sup> Pursuant to Vaccine Rule 11(a), the parties may expedite entry of judgment by filing a joint notice renouncing the right to seek review.